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8 Attorney for Plaintiffs

9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE STATE OF NEVADA**

11 SECURITIES AND EXCHANGE  
COMMISSION,

*Plaintiff,*

vs.

EARTHLY MINERAL SOLUTIONS, INC.,  
NATURAL MINERALS PROCESSING  
COMPANY, ROY D. HIGGS, FRANK L.  
SCHWARTZ, and RICK LAWTON

*Defendants.*

Case # **2:07-cv-01057-JCM-LRL**

**SUGGESTION OF BANKRUPTCY**

**OF RICKY LAWTON**

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13 **PLEASE TAKE NOTICE** that on October 8, 2010, a Petition for voluntary  
14 Bankruptcy was filed by RICKY LAWTON (aka Rick Lawton), defendant above-  
15 named. A copy of the voluntary petition for the Chapter 7 case titled “voluntary  
16 petition” RICKY LAWTON, Case 10-54028, entered 10/08/10, attached hereto as  
17 EXHIBIT 1.

18 **PLEASE TAKE FURTHER NOTICE** that pursuant to 11 U.S.C. § 362(a),  
19 the Debtor’s filing of the voluntary petition operates as a stay, applicable to all  
20 entities, of, among other things: (a) the commencement or continuation of all

1 judicial, administrative, or other actions or proceedings against the Debtor (i) that  
2 were or could have been commenced before the commencement of the Debtor's  
3 case or (ii.) to recover any claims against the Debtor that arose before the  
4 commencement of the Debtor's case; (b) the enforcement, against the Debtor or  
5 against any property of the Debtor's bankruptcy estates, of a judgment obtained  
6 before the commencement of the Debtor's cases; or (c) any act to obtain  
7 possession of property of or from the Debtor's bankruptcy estate, or to exercise  
8 control over property of the Debtor's bankruptcy estate.

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10 Dated: This 8<sup>th</sup> day of October, 2010

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/s/ RICK LAWTON ESQ.  
In Pro Per

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**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I, the undersigned, hereby certify that I am an employee of the Law Office of Rick Lawton, P.C., and that on this date I deposited for mailing at Fallon, Nevada, postage pre-paid, a true and correct copy of the: **SUGGESTION OF BANKRUPTCY OF RICKY LAWTON** to the following:

**ALL ATTORNEYS OF RECORD**

☐ By placing an original or true copy in a sealed envelope, postage fully prepaid, in a U.S. Postal Service mailbox at Fallon, Nevada, addressed to the individual(s) and/or address (s) listed below.

☐ **FACSIMILE:** By faxing an original or true copy to the individual (s) and /or address (s) and fax number (s) listed below.

☒ **AUTOMATIC** eFlex electronic notification pursuant to Local Rules of Second Judicial District. Or Pacer.

By MAILING:

***Defendant In Pro Per***

Roy Dean Higgs  
Inmate Number 45975-008  
MCFP Springfield  
Medical Center/Federal Prisoners P.O. Box 4000  
Springfield, MO 65801

***Defendant In Pro Per***

Frank L. Schwartz Inmate No. 42357-048 CI Taft  
Correctional Institution P.O. Box 7001  
Taft, CA 93268

Dated: this 8<sup>th</sup> day of October, 2010

/S/ LAVINIA JOHNSTON

Lavinia Johnston

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**INDEX TO EXHIBITS**

Voluntary Petition

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